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Sent: Thursday, October 05, 2017 11:14 AM
To: Stephen Dyer <sdyer@cityofgreen.org>
Cc: Bob Young <byoung@cityofgreen.org>; City Council
<CityCouncil@cityofgreen.org>; Gerard Neugebauer
<GNeugebauer@cityofgreen.org>
Subject: Re: Recycling legislation

Ugh, I'm not giving up! I'm in the process of typing something up to submit to FERC right now. It's my understanding that FERC still needs to issue a certificate to commence construction before the bulldozers can begin. And if FERC were to actually follow the rules then they need to wait until all surveys are completed which can not happen until eminent domain is settled. Technically, they should be waiting until eminent domain cases have concluded. Even Nexus admitted under oath in the Medina case that eminent domain & surveying PROCEEDS construction.

Below is my rough draft of what I'm sending to FERC today. It would be greatly appreciated for other entities to also ask FERC for a stay on the construction certificate.

Please wait to issue the certificate to commence construction for the Nexus pipeline until

1. FERC's rehearing process has concluded
2. the courts have ruled on all cases related to the Nexus pipeline including eminent domain
3. all surveying has been completed.

The rehearing requests should be addressed prior to the issuance of the final certificate to commence construction. Many interveners have filed for rehearing including The Coalition To Reroute Nexus which filed two requests for rehearing on Sept 22, 2017.

All Nexus issues brought before the courts should be concluded prior to issuing the final certificate to commence construction. Several court cases related to

Nexus are still awaiting a ruling. Urban et al v FERC Case 5:17-cv-01005-JRA is one case. The City of Green is also using the courts to challenge Nexus' Water Permit, Court of Appeals, Docket #17-4016, 9/26/2017, City Of Green v OH EPA.

Even Nexus has admitted that before construction is permitted, eminent domain must be used to gain access to any remaining properties whose owners have refused surveying. Under oath, Nexus has said that all surveying and eminent domain should be resolved prior to the issuance of a notice to proceed with construction. On October 18, 2016, Nexus Project Manager Kathleen Redmond Miller testified in Case 16CIV0715 Court of Common Pleas, Medina OH: Nexus vs Sheri Acierto et al. In court, Ms. Miller was asked do "those surveys need to be completed, then, before you get the notice to proceed, correct?" Ms Miller replied, "absolutely". Then Ms. Miller was asked, so "you may have to go the Court to acquire the power of eminent domain, then go out to complete the survey activity." Ms. Miller then replied, "yes".

So we the people, expect FERC to follow the established procedures and hold off on allowing construction until after rehearing, eminent domain, and surveying.

Below is a reminder list of the stake holders who have already asked FERC to stay any Nexus decisions until court cases have been completed:

Date	FERC Submittal #	From
6/16/2017	20170616-5094	Karen Feridun
6/16/2017	20170616-5131	Green Little League
6/14/2017	20170614-5105	Sarah Smith
6/14/2017	20170613-5196	Delaware River Keeper
6/12/2017	20170612-5013	Nicole Pennington
6/13/2017	20170613-5056	PTA: Green Local Schools
6/13/2017	20170613-5018	Laurel Gress
6/13/2017	20170613-5092	City of Green, OH
6/12/2017	20170612-5132	Dana Beezley Kwasnicka
6/12/2017	20170612-5043	Nicholas Pappas
6/12/2017	20170612-5032	Robert Wheeler
6/12/2017	20170612-5010	Jason Keele
6/12/2017	20170612-5009	Barb Babbitt

6/12/2017 20170612-5007 Angela Matos
6/12/2017 20170612-5006 Jennifer Ciptak
6/12/2017 20170612-5005 Natasha Keel
6/12/2017 20170612-5004 Allison Hart
6/12/2017 20170612-5003 Greer M Kabb Langkamp
6/12/2017 20170612-5002 Shelly Denney
6/12/2017 20170612-5000 Susan Ridgeway
6/8/2017 20170609-5000 Wendy Kline
6/8/2017 20170609-5001 Gerald E Schmelzer
6/8/2017 20170609-5002 Cherie Baker
6/8/2017 20170609-5003 Kimberly Spoonhower
6/8/2017 20170609-5004 Sarah Noirot
6/8/2017 20170609-5005 Roy Hathaway
6/8/2017 20170609-5006 Shara Blagrove
6/8/2017 20170609-5007 No Fracked Gas in Mass
6/8/2017 20170609-5021 Erin Swartzwelder
6/8/2017 20170609-5016 Berskhire Environmental Action Team
6/9/2017 20170609-5061 Sandra Shelestovich
6/9/2017 20170609-5064 Paul Wohifarth
6/9/2017 20170609-5065 Caitlin Knop
6/9/2017 20170609-5084 Elaine Selzer
6/9/2017 20170609-5085 Amanda Baum
6/9/2017 20170609-5000 Christina Isakov
6/9/2017 20170609-5140 Leigh Arnfield
6/9/2017 20170609-5152 Erin Holdren
6/7/2017 20170608-5002 Leatra Harper
6/7/2017 20170608-5026 Coalition To Reroute Nexus
6/8/2017 20170608-5034 Debora Christy
6/8/2017 20170608-5055 Joe Hyclak
6/8/2017 20170608-5079 Louise Harvey
6/8/2017 20170608-5082 Vicki Piersol
6/8/2017 20170608-5089 Mark Filippell
6/8/2017 20170608-5108 Paul Bosela
6/8/2017 20170608-5116 Cathy Givens
6/8/2017 20170608-5118 Todd Larsen

6/8/2017 20170608-5135 Green Soccer Association
6/8/2017 20170608-5122 Robin Pribanich
6/8/2017 20170608-5140 Green Meadows Home Owners
Assoc
6/8/2017 20170608-5141 Judith/Sherwin Alberts
6/8/2017 20170608-5146 Travis Lutz
6/8/2017 20170608-5154 Dennis Plummer
6/8/2017 20170608-5159 Green Youth Lacrosse
6/8/2017 20170608-5173 Beth Steenwyk
6/8/2017 20170608-5163 Green Youth Football
6/8/2017 20170608-5174 Victor Giaconia
6/6/2017 20170608-5132 Tammy Daly